

UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF NEW YORK

-----X
KG CORNWALL, LLC,

Plaintiff,

-against-

BEAZER HOMES CORP.,

Defendant.
-----X

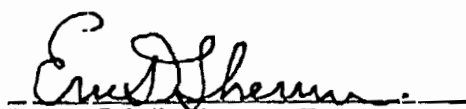
STIPULATION
DISCONTINUING ACTION

Index No. 07 Civ. 2881 (CLB)

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, the attorneys of record for all parties to the above action, that whereas no party hereto is an infant or incompetent person for whom a committee has been appointed and no person not a party has an interest in the subject matter of the action, the above-entitled action be and hereby is discontinued without costs or attorney fees in favor of any of the parties herein.

This stipulation may be filed without further notice with the Clerk of the Court.

Dated: July 29, 2008



By: Eric D. Sherman, Esq.
Pryor Cashman, LLP
Attorney for Defendant
410 Park Avenue
New York, New York 10022
(212) 421-4100



By: Burton I. Dorfman, Esq.
Dorfman, Knoebel, Conway, Fury & Griffin, LLP
Attorney for Plaintiff
51 North Broadway
Nyack, New York 10960
(845) 353-3500

So Ordered.

Cathy Serbell U.S.D.J.
9/5/08